



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

ELP
Docket No. 3071-00
18 October 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 October 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 17 July 1986 for eight years. You were ordered to initial active duty for training on 12 February 1987. The record reflects that you were advanced to EMFA (E-2) and served without any disciplinary actions. On 17 October 1987 you were honorably released from active duty and transferred to the Naval Reserve, and assigned an RE-5 reenlistment code.

The record further reflects that on 11 February 1989 a drug and alcohol report was filed stating that you had tested positive for PCP on a random urinalysis. It was noted that your drill participation had become unsatisfactory in that you had missed 24 drills during fiscal year 1988-89, and you had no desire to remain in the Naval Reserve. Separation from the Naval Reserve was recommended; however, the date of discharge from the Naval Reserve is not shown in the record.

An RE-5 reenlistment code is assigned to Ready Reserve personnel who are released after serving 90 or more days of active duty for

training and means that they were returned to their reserve units without reenlistment eligibility being determined. You were ineligible for any other reenlistment code. An RE-5 reenlistment code may require waiver by recruiting officials for reenlistment, but does not prohibit an individual from reenlisting. The Board noted that you are 33 years old and may also need an age waiver. Since you were treated no differently than others released under similar circumstances, the Board could find no error or injustice in your assigned reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director